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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/673,614    10/19/00    GRIMALDI

J    061365

EXAMINER

MM71/0828

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2100 PENNSYLVANIA AVENUE NW  
WASHINGTON DC 20037-3213

NGUYEN, F  
ART UNIT

PAPER NUMBER

2833  
DATE MAILED:

08/28/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/673,614

Applicant(s)

GRIMALDI ET AL.

Examiner

Phuongchi T Nguyen

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☒ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 14) ☐ Notice of References Cited (PTO-892)
- 15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 17) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 18) ☐ Notice of Informal Patent Application (PTO-152)
- 19) ☐ Other: \_\_\_\_\_

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DETAILED ACTION

1. Acknowledgement of Applicant's amendment filed on June 25, 2001. It is noted that Claims 1-11 and specification are amended.

*Claim Rejections - 35 USC § 112*

2. Claims 5-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5, line 8, "the respective planes" lacks proper antecedent basis.

*Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-8 and 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Bricaud et al (US6053776).

In regards to claim 1, Bricaud discloses a spring contact (44) for use in a connector, which spring contact (44) is substantially U-shaped and has two branches (82, 60) and a base (66) joining the two branches (82, 60) at one end, each branch (82, 60) being adapted to make electrical contact with a device (see Column 3, lines 16-20), characterized in that the two branches (82, 60) lie in two diverging planes (adjacent 82, 60) and the intersection of the two planes (adjacent 82, 60) is within the base (66) of the U-shape (see figure 11).

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In regards to claim 2, Bricaud discloses the spring contact (44) characterized in that one branch (82) and the base (66) are coplanar (see figure 10).

In regards to claim 3, Bricaud discloses the spring contact (44) characterized in that the electrical contact (44) of at least one branch (82) is at the free end (86) of the branch (82) (see figure 10).

In regards to claim 4, Bricaud discloses the spring contact (44) characterized in that one branch (82) is adapted to come into contact with a printed circuit (16) and the other branch (60) is adapted to come into contact with a battery or a device (see figure 16). Since one branch (82) and the base (66) are coplanar, base (66) contacts a printed circuit (16) as shown in figure 16, one branch (82) also contacts a printed circuit (16).

In regards to claim 5, in addition to claim 1, Bricaud discloses an electrical connector (40) having a first face (46) and a second face (48) opposite the first face (46), the connector (40) including at least one housing (adjacent 46, 48) for receiving a spring contact (44) and opening (52) onto both faces (46, 48), wherein the spring contact (44) is positioned in the housing (adjacent 46, 48) so that a plane (upper surface of 16) containing a base (66) of the U-shape is substantially parallel to the respective planes of the faces (46, 48) of the connector (40) (see figures 15-17).

In regards to claim 6, Bricaud discloses the connector (40) further comprising a guide (adjacent 120) to guide the spring contact (44) into position in the housing (adjacent 46, 48) (see figure 4).

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In regards to claim 7, Bricaud discloses the connector (40) further comprising a retainer (adjacent 50) for retaining the spring contact (44) in the housing (adjacent 46, 48) (see figure 4).

In regards to claim 8, Bricaud discloses the connector characterized in that one branch (60) of the spring contact (44) projects from the housing (adjacent 46, 48) (see figure 15).

In regards to claim 10, Bricaud discloses the connector characterized in that one face (46, 48) of the connector (44) has a pick-up area (hole) substantially at the center of said face (46, 48) (see figure 2).

In regards to claim 11, Bricaud discloses the connector having lateral faces (92) joining the first and second faces (46, 48), characterized in that the lateral faces (92) include at least one recess (70) and a free end (86) of one branch (82) of the spring contact (44) projects into the recess (98) (see figure 5).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bricaud et al (US6053776) in view of Suzuki (US5865642).

Bricaud's 776 lacks the spring contact positioned in parallel but in opposite way. However, Suzuki teaches the spring contacts in two adjacent housings being positioned so that they are substantially parallel but the opposite way round to each other (see figure 4). It would

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have been obvious to one having ordinary skill in the art at the time the invention was made to modify a connector of Bricaud 's 776 by having a spring contact with an opposite round way as taught by Suzuki to arrange one branch of one contact being adjacent the other branch of the adjacent contact.

*Response to Arguments*

7. In responding to applicant 's argument, on page 7, lines 11-13, the statement that "The front branch 82, in Bricaud, does not make any electrical contact with any electrical device, and is merely used as a support member for the contact 44" is not deem persuasive. The branch 82 could be used to make electrical contact with a device, since branch 82 is exposed.

*Conclusion*

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to PhuongChi Nguyen whose telephone number is (703) 305-0729. The examiner can normally be reach on Monday through Thursday from 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Austin Bradley, can be reached on (703)308-2319. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722.

PCN

August 18, 2001.

  
Gary Paumen  
Primary Examiner